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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,457	02/20/2001	Laurent Gavaille	19251	5028

7590 04/29/2004

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Arlington, VA 22202-2451

EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/29/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/785,457

Applicant(s)

GAVOILLE, LAURENT

Examiner

Dohm Chankong

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☒ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5, 2/20/01.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

1. Claims 1-5 are presented for examination.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 2 and 5 are rejected under 35 U.S.C 102(e) as being unpatentable over Matsubara et al (hereinafter Matsubara), U.S Patent No. 6,335,812.

3. As to claim 1, Matsubara teaches a method of constructing directories in terminals connected by a local area network, said method including the following steps:

broadcasting a message from a given terminal in the network, the broadcast message

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containing at least a name and an address of said given terminal (column 6, line 62 to column 7, line 9 and lines 58-65 – where the address of the terminal is also utilized as the name of the terminal);

in at least one other terminal, decoding said broadcast message, extracting from it a name and an address of said given terminal, inserting the extracted name and address in mapping relationship into a directory of said other terminal, and transmitting a response message containing the address of said given terminal as a receiver address and at least a name and an address of said other terminal extracted from said broadcast message (column 8, lines 19 to column 10, line 19 – where the table is the directory); and

decoding said response message in said given terminal, extracting said name and said address of said other terminal from the decoded response message, and inserting the extracted name and address in mapping relationship into a directory of said given terminal (column 10, line 20 to column 12, line 20).

4. As to claim 2, Matsubara teaches a method wherein said given terminal and plural other terminals in said network define a group of terminals associated with an identifier, and said broadcast message includes said identifier so that only said plural other terminals decode said broadcast message to extract from it said name and said address of said given terminal (Figure 14, column 17, line 14 to column 18, line 12).

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5. As to claim 5, Matsubara teaches a method wherein said broadcasting step follows on automatically from said given terminal connected to said network (column 8, lines 47-54, column 9, lines 14-29, column 23, lines 53-56 and column 24, lines 21-45).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsubara in view of Caffarelli et al (hereinafter Caffarelli), U.S. Patent No. 6,091,686.

8. Matsubara does teach the construction of a directory in response to the broadcast message and the response message (column 7, lines 2-42) but does specifically disclose the use of a directory construction function field included in the messages.

9. Caffarelli teaches a message that includes a directory construction function field (column 11, lines 18-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matsubara's message to include the directory construction function field for the purposes of storing the information necessary to construct the directory by the receiving terminal.

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10. Claim 4 is rejected under 35 U.S.C 103(a) as being unpatentable over Matsubara in view of Okanoué, U.S Patent No. 6,134,587.

11. Matsubara teaches the use of a local area network, sender terminal addresses and broadcast and response messages (Figure 5, items Cs, C1, C2, C3 and abstract) but does not teach a method wherein said address contained in said broadcast message or in said response message includes a sender terminal address conforming to the internet protocol and/or an electronic mail address of said sender terminal.

12. Okanoué teaches a method wherein said address contained in said broadcast message or in said response message includes a sender terminal address conforming to the internet protocol and/or an electronic mail address of said sender terminal (column 10, lines 49-52 and column 12, lines 6-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matsubara's local area network, terminals and messages to conform to the standards of internet protocol so the terminals can communicate with each other over the internet.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The following patents are cited to further show the state of the art in regards to communication between network terminals:

U.S Patent No. 5,382,951 to White et al;

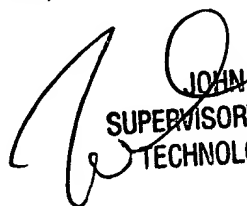
U.S Patent No. 5,963,558 to Harada.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC

  
JOHN FOLLANSBEE  
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TECHNOLOGY CENTER 2100